

4553/213

## DECLARATION AND POWER OF ATTORNEY (SOLE)

As the below named Inventor, I hereby declare that:

My residence, post office address, and citizenship, are as stated on the following page of this document next to my name; and

I believe I am the original, first, and sole Inventor of the subject matter which is claimed and for which a patent is sought under and in accordance with applicable statutes of the United States of America (Title 35, United States Code) on the invention entitled:

A FEED METERING DEVICE

the specification of which:

☒ is attached hereto.

☐ was filed \_\_\_\_\_, Application Serial No. \_\_\_\_\_, and was amended \_\_\_\_\_ [if applicable].

I further hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe my invention, as described in the subject Application, was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this Application.

I acknowledge the duty to disclose information which is material to the examination of this Application, as required by statutes of the United States of America and implementing rules (37 CFR §1.56(a)).

I hereby claim foreign priority benefits under 35 U.S.C. §119 and/or §365 of any foreign application or applications for patent or Inventor's certificate listed below. Also, unless otherwise set forth below, there is no foreign application for patent or Inventor's certificate having a filing date before that of the application on which priority is claimed.

**PRIOR FOREIGN & INTERNATIONAL APPLICATION(S)**

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>
1014896	the Netherlands	10.04.2000

**PRIORITY CLAIMED**

<u>Yes</u>	<u>No</u>
X	

I hereby claim the benefit under 35 U.S.C. §120 of any United States Application or Applications listed below. Insofar as the subject matter of each claim of this application is not disclosed in the prior listed United States Application or Applications in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as required by statute and implementing rules (37 CFR §1.56(a)) which became available between the effective filing date of the prior application and the effective national or PCT international filing date of this application.

<u>Serial No.</u>	<u>Date Filed</u>	<u>Status</u>
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I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this Application and transact all business in the United States Patent and Trademark Office connected herewith:

Penrose Lucas Albright, Reg. No. 19,082; William B. Mason, Reg. No. 18,120; and Eric S. Albright, Reg. No. 39,087 (Patent Agent); 2306 South Eads Street, P.O. Box 2246, Arlington, Virginia 22202.

Correspondence and telephone communications should be directed to Penrose Lucas Albright, Esq., MASON, MASON & ALBRIGHT, P.O. Box 2246, Arlington, Virginia 22202-0246, Telephone: (703) 979-3242 (local), Facsimile: (703) 979-2526 (local).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

van den Berg, Karel

Inventor's Full Name (Print or Type)

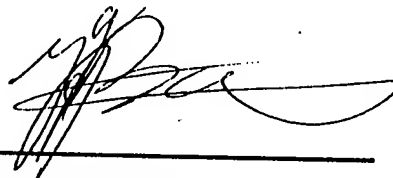
5 Boterbloemstraat

Post Office Address (for mail)

Residence Address (if different than above)

the Netherlands

Country of Citizenship



Inventor's Signature

2971 BR Bleskensgraaf, the Netherlands

City/County, State/Province

City/County, State/Province

16 February 2001

Date Signed

(Signature should conform to name as printed or typewritten)

Applicant or Patentee: Karel van den Berg 4219V/US  
Serial or Patent No.: to be assigned; Attorney's Doc. No. 4553/212  
Filed or Issued: herewith  
For: A FEED METERING DEVICE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR §1.9(F) AND §1.27(C)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Lely Research Holding AG

ADDRESS OF CONCERN: 20 Bützenweg, CH-6300 ZUG  
Switzerland

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR §121.3-18, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this Statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled A FEED METERING DEVICE  
by inventor(s) Karel van den Berg described in:

- ☒ the specification filed herewith.  
☐ Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*Note: Separate Verified Statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)

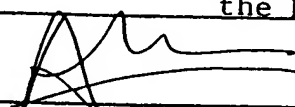
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this Application or Patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application, any Patent issuing thereon, or any Patent to which this Verified Statement is directed.

NAME OF PERSON SIGNING: van der Lely, Alexander  
TITLE OF PERSON OTHER THAN OWNER: Director  
ADDRESS OF PERSON SIGNING: 44 Jan Witkampstraat, 3065 NA ROTTERDAM  
the Netherlands

SIGNATURE  DATE 20 March, 2001  
Alexander van der Lely

FILE COPY

ASSIGNMENT

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FORM PTO-1595

(Rev. 8-93)

OMB No. 0651-0011 (exp. 4/04)

RECORDATION FORM COVER  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings 0 0 0 0

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

KAREL VAN DEN BERG

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: February 16, 2001

2. Name and address of receiving party(ies)

Name: Lely Research Holding AG

A SWISS limited liability Co.

Internal Address:

Street Address: 20 Butzenweg, CH-6300

City: ZUG, SWITZERLAND State: ZIP:

Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: Feb, 16, 2001

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: PENROSE LUCAS ALBRIGHT

Internal Address:

MASON, MASON & ALBRIGHT

2306 South Eads Street

P.O. Box 2246

City: ARLINGTON State: VA ZIP: 22202

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed with Appln filing fee

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

PENROSE LUCAS ALBRIGHT

Name of Person Signing

Signature

FEB. 10, 2001

Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

4219V/US

ASSIGNMENT

For valuable consideration, the receipt and adequacy of which is hereby acknowledged, I KAREL VAN DEN BERG, hereby sell, assign and transfer unto **LELY RESEARCH HOLDING A.G.**, a SWISS limited liability company of 20 Bützenweg, CH-6300 ZUG, Switzerland

the entire right, title and interest in and to our application for Letters Patent of the United States, Serial no. (to be assigned)

filed April 10, 2001 and relating to, **A FEED METERING DEVICE** and the entire right, title and interest in and to any and all our inventions, whether joint or sole, disclosed in said Serial no. (to be assigned)

and in and to any and all applications filed for Letters Patent for any such invention in any country, and in and to any and all patents granted for any such invention in any country, with the sole right to file such applications, including the sole right to file such applications under the International Convention for the Protection of Industrial Property, including all priority rights in each country; also our entire right, title and interest in and to any and all patents, reissues, continuations, continuation – in – parts and divisionals which may be filed upon said invention in any country;

together with the sole right to enforce said patents and to sue and recover profits and damages for any and all infringements thereof, and hereby agree, whenever requested, to communicate to said assignee, its successors, assigns and legal representatives, any facts known to us respecting said invention, to testify in any legal proceeding, to execute all applications, papers or instruments necessary or required by said assignee, its successors, assigns and legal representatives to carry into effect any of the provisions of this instrument, and to do everything possible to aid said assignee, its successors, assigns and legal representatives to obtain and enforce proper patent protection for said inventions in all countries.

SIGNED AND SEALED this

16th day of February, 2001

A handwritten signature in black ink, appearing to be 'K. van den Berg', written over a horizontal line.

KAREL VAN DEN BERG

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAREL VAN DEN BERG

Serial No.: 09/828,911

Filed: April 10, 2001

For: A FEED METERING DEVICE

Docket No.: 8553/212a

Group Art Unit: 3644

Examiner: Kimberly S. Smith

**ASSERTION OF SMALL ENTITY STATUS**

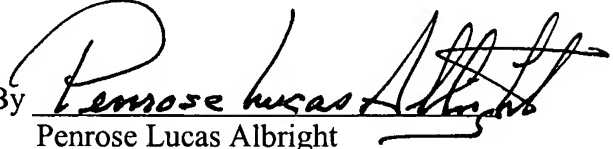
To the Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A small entity status is entitled to be asserted for the above-identified Application as defined in 37 CFR §1.27.

Respectfully submitted,

MASON, MASON & ALBRIGHT

By   
Penrose Lucas Albright  
Registration No. 19,082

2306 South Eads Street  
P.O. Box 2246  
Arlington, VA 22202  
Tel (703) 979-3242  
Fax (703) 979-2526

Filed: November 24, 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MAIL STOP PATENT APPLICATION

KAREL VAN DEN BERG

Divisional of Serial No.: 09/828,911

Filed: Herewith

For: A FEED METERING DEVICE

Docket No.: 8553/212a

**REQUEST FOR FILING A DIVISIONAL PATENT APPLICATION  
UNDER 37 CFR §1.53(b)**

To the Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a copy of the latest inventor-signed prior Application, including the copy of the Oath or Declaration showing the original signature or an indication that it was signed. The undersigned hereby verifies that the enclosed papers comprise a true copy of the latest signed prior Application Serial No. 09/828,911, and further that all statements made herein of his own knowledge are true, and were made with the knowledge that willful false statements or the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the Application and any patent issuing thereon.

As amended by the Preliminary Amendment submitted herewith, the Application contains two (2) claims, one (1) of which is an independent claim, whereby a filing fee of

8553/212a

\$385.00 is required. Our check to cover same is submitted herewith. If in error, the Commissioner of Patents and Trademarks is authorized to credit or debit our Account No. 13-2000 as appropriate.

A Verified Statement to establish small entity status under 37 CFR §1.9 and §1.37 was filed in the prior Application Serial No. 09/828,911, and such status is proper and desired.

As set forth in the Preliminary Amendment submitted herewith, please cancel all claims in this Application except original Claims 1 and 2 and calculate the filing fee on the basis of the Preliminary Amendment.

The inventor of the invention claimed in this Application is Karel van den Berg.

As set forth in the Substitute Specification submitted herewith, please amend the Specification by inserting on page 1 between the title in line 1 and line 2 the following:

--RELATED APPLICATION:

This Application is a Division of Application Serial No. 09/828,911, filed April 10, 2001. Issuing as U.S. Patent No. 6,651,584, of November 25, 2003, the disclosure of the Application of which is hereby incorporated by reference.--

Priority of Application No. 1014896, filed in the Netherlands on April 10, 2000 is claimed under 35 U.S.C. §119(a)(d). A certified copy of such Netherlands Application was filed in prior Application Serial No. 09/828,911, filed April 10, 2001, a claim for priority and the certified copy of the Netherlands Application being filed with Application Serial No. 09/828,911, on April 10, 2001.

A Preliminary Amendment is enclosed.

The Power of Attorney in the prior Application is to Penrose Lucas Albright, Registration No. 19,082; William B. Mason, Registration No. 18,120; and Eric S. Albright, Registration No.



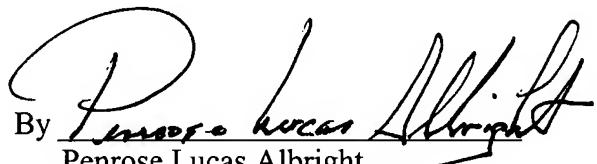
39,087 (patent agent); of 2306 South Eads Street, P.O. Box 2246, Arlington, Virginia 22202.

The Power of Attorney appears in the original papers of the prior Application.

Correspondence and telephone communications should be directed to Penrose Lucas Albright, Esq., Mason, Mason & Albright, P.O. Box 2246, Arlington, Virginia 22202-0246, telephone number: (703) 979-3242 (local), facsimile: (703) 979-2526 (local).

Respectfully submitted,

MASON, MASON & ALBRIGHT

By   
Penrose Lucas Albright  
Registration No. 19,082

2306 South Eads Street  
P.O. Box 2246  
Arlington, VA 22202  
Tel (703) 979-3242  
Fax (703) 979-2526

**Filed: November 24, 2003**

Attached: Copy of Prior Application with copy of  
Declaration and Power of Attorney;  
Copy of Small Entity Statement;  
Preliminary Amendment  
Check for \$385.00  
Five (5) Sheets of Informal Drawings  
filed with Application